

Bangladesh Country Flyer Forced Marriage

The U.S. Department of State's highest priority overseas is the protection and welfare of American citizens. Forced marriage is contrary to the Universal Declaration of Human Rights and violates the International Covenant on Civil and Political Rights, which states that "no marriage shall be entered into without the free and full consent of the intending spouses." The U.S. Department of State considers forced marriage to be a human rights abuse, in the case of minors also a form of child abuse. Often, victims are subjected to non-consensual sex, physical and emotional abuse, isolation, and threats of violence.

Arranged marriages are a long-standing tradition in many cultures and countries. The Department respects this tradition, and makes a very clear distinction between a forced and an arranged marriage. In arranged marriages, the families of both spouses take a leading role in the arrangement but the choice whether to consent remains with the individuals. In a forced marriage, at least one party does not consent to the marriage, and some element of duress or coercion is generally present.

In Bangladesh, marriage laws are based on a combination of religious and civil law. Civil laws dictate that the legal age of consent and minimum age for marriage is 18 for women and 21 for men. Bangladesh does not have a specific law banning forced marriage. However, legally, the consent of both parties to a marriage is required. Where parties to a marriage are above the legal age of consent, consent to marry becomes one of the primary factors in determining the validity of a marriage. A forced marriage may therefore be challenged and declared invalid if there is evidence to indicate that either party did not consent to the union. Where the parties are minors, consent to the marriage may be given by their legal guardians. However, marrying off minors is a criminal offence, and persons who marry off minors may be prosecuted under the Child Marriage Restraint Act. However, the marriage itself would not be invalidated by this process.

Marriages in Bangladesh are predominantly arranged, with relatively fewer choice (also referred to as "love") marriages. Most men marry before the age of 35, while the majority of women marry before the age of 25. While the past has shown that the average age for women getting married in rural areas is significantly lower (16 years of age) than that of those getting married in urban areas, even this age has recently increased significantly (to 20 years of age). The increase in the average age of women getting married reflects an increasing preference among men (and the families that are arranging marriages for them) for potential spouses with greater educational qualifications. These trends seem to be indicative of a preference for women who will be able to fulfill more traditional roles while simultaneously maintaining a job and contributing to the earned income of the family.

In general, young women are more prone to becoming victims of forced marriage than young men. Where forced marriage occurs, it tends to be a practice that has occurred as a result of a host of different socioeconomic and cultural factors. Societal pressure, poverty, illiteracy, and family status can all be contributing factors for forced marriages. Families living in poverty with unstable or non-existent income sources see a daughter both as an economic burden who

must be married as soon as possible to take financial strain off of the family, and also a potential financial relief if she is able to be married off to someone of higher economic standing. Forced marriage can also be used to settle a debt or to improve family status through the formation or fomentation of social alliances. This pressure is exacerbated in rural areas where the parents and sometimes the young woman herself are subject to social duress from the surrounding community, sometimes resulting in a higher dowry that must be paid by the young woman's parents.

There are several human rights organizations in Bangladesh that work closely with victims of forced marriages to provide assistance. Additionally, local police, lawyers, and foreign missions in Bangladesh play a significant role in the prevention of forced marriages and providing assistance to those who are victims of forced marriages. If an individual is above the age of consent and is the subject of a forced marriage he or she can challenge the legality of the marriage in court by providing evidence to show that there was no consent to the marriage at the time of the marriage. An underage girl who was married off against her will would have to repudiate the marriage upon attaining puberty and prior to reaching the age of 18. It should be noted that consummation of the marriage prior to attaining puberty will not negate this right, but consummation of the marriage after attaining puberty will.

While Bangladesh has security at border crossings and at other international ports of departure, the borders are relatively porous allowing individuals to move relatively freely, particularly across land borders. However, parents or family members can obtain a court order to place a lookout at international airports and border check points to prevent an individual from leaving the country, though this tends to be a time consuming process. These lookouts can be placed on an individual regardless of age, and are often based on false allegations submitted to the court. Influential families have also been known to use both private and government contacts to limit the ability of an individual to leave Bangladesh.

If you are facing this situation, or know someone who is, contact the local authorities and the nearest U.S. Embassy or Consulate. Please see the [Country Specific Information](#) for Bangladesh for locations and contact information.